

1 Floyd Raymond, Looker, *Sui Juris*
 2 c/o HC 63, Box 12-AA
 3 Nettie [zip code exempt]
 4 WEST VIRGINIA
 5

6 *In Propria Persona*
 7

8 Under Protest, Necessity, and
 9 by Special Visitation Only
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16 UNITED STATES DISTRICT COURT
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18 NORTHERN DISTRICT OF WEST VIRGINIA
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21 UNITED STATES OF AMERICA, [sic])	Criminal No. <u>1:96-CR-43</u>
22)	
23 Plaintiff, [sic])	NOTICE AND DEMAND FOR
24	)	THE RIGHT TO ENJOY
25 v.	)	THE ASSISTANCE OF
26	)	COUNSEL OF CHOICE:
27 FLOYD RAYMOND LOOKER, a/k/a RAY,	)	Sixth Amendment
28 JAMES R. ROGERS, a/k/a RICH, [sic])	
29)	
30 Defendants. [sic])	
31)	

32 COMES NOW Floyd Raymond, Looker, *Sui Juris*, Citizen of West
 33 Virginia state and Defendant in the above entitled matter
 34 (hereinafter "Defendant"), to demand that this honorable Court
 35 recognize His fundamental Right to enjoy the assistance of either
 36 Counsel(s) or Co-Counsel(s) of His choice who are not necessarily
 37 members of the State Bar of West Virginia, and who are not
 38 necessarily licensed attorneys, for the following reasons:

39 1. The Constitutional guarantee of the fundamental right
 40 to "assistance of Counsel" is not qualified. See Sixth Amend.

41 2. The Constitution of the State of West Virginia,
 42 ordained and established by the People for Their protection,

1 shall not be superseded or amended by any act of the Legislature
2 or by anything in the Constitution or laws of any State.

3 3. Defendant has the fundamental Right to the effective
4 assistance of Counsel of His choice, to stand by, and to advise
5 the Defendant while proceeding *In Propria Persona*. People v.
6 Hill, (1969) 70 C.2d 678, 76 Cal.Rptr. 225, 452 P.2d 329, cert.
7 denied 406 U.S. 971; People v. Zamora, (1944) 66 Cal.App.2d
8 166, 152 P.2d 180.

9 4. Within the unambiguous language of the Constitution,
10 the assistance of Counsel does not restrict it to any state bar
11 association(s).

12 5. Defendant refuses to waive any fundamental Rights or
13 Immunities in order to assert another Right or Immunity.

14 6. The Right to Counsel has been deeply embedded in true
15 American tradition since the foundation of this Republic, and has
16 been most recently set forth by the United States Supreme Court
17 in Faretta v. State of California, 422 U.S. 806 (1975).

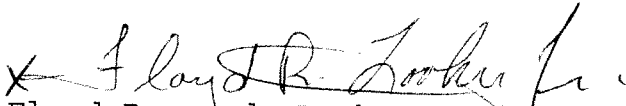
18 The U.S. Supreme Court has ruled as follows: **"If this**
19 **requirement of the Sixth Amendment is not complied with, the**
20 **court no longer has jurisdiction to proceed."** Johnson v. Zerbst,
21 304 U.S. 458, 468 (1938).

22 In addition, if this Court fails to notify the Defendant of
23 His fundamental Rights *Sua Sponte*, or to ensure those declared or
24 demanded by the Defendant, then the Court, of its own volition,
25 ousts itself jurisdiction.
26


RELIEF REQUESTED

Therefore, the Defendant demands that this Court honor Defendant's fundamental Right to the assistance of Counsel or Co-Counsel, whichever the Defendant wishes to have, to ensure to the Defendant justice and fair proceedings, which Rights are more fully set forth in the attached brief in support of the absolute, unalienable Right to unfettered Counsel of choice.

Executed on X 12-9-96


Floyd Raymond, Looker, Sui Juris
Citizen of West Virginia state
all rights reserved without prejudice

Executed on December 4, 1996


Paul Andrew, Mitchell, B.A., M.S.
Citizen of Arizona state, federal witness,
and Counselor at Law
all rights reserved without prejudice

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PROOF OF SERVICE

I, Paul Andrew, Mitchell, *Sui Juris*, hereby certify, under penalty of perjury, under the laws of the United States of America, without the "United States," that I am at least 18 years of age, a Citizen of one of the United States of America, and that I personally served the following document(s):

NOTICE AND DEMAND
FOR THE RIGHT TO ENJOY
THE ASSISTANCE OF COUNSEL OF CHOICE:
Sixth Amendment

by placing one true and correct copy of said document(s) in first class U.S. Mail, with postage prepaid and properly addressed to the following:

Office of the United States Attorney
Federal Building
Wheeling
WEST VIRGINIA

Clerk of Court
United States District Court
Wheeling
WEST VIRGINIA

Attorney General
Department of Justice
10th and Constitution, N.W.
Washington
DISTRICT OF COLUMBIA

Solicitor General
Department of Justice
10th and Constitution, N.W.
Washington
DISTRICT OF COLUMBIA

Executed on: December 4, 1996



Paul Andrew Mitchell, B.A., M.S.
Citizen of Arizona state, federal witness,
and Counselor at Law

Floyd Raymond, Looker, *Sui Juris*
 c/o HC 63, Box 12-AA
 Nettie [zip code exempt]
 WEST VIRGINIA

In Propria Persona

Under Protest, Necessity, and
 by Special Visitation Only

U.S. DISTRICT COURT
 RECEIVED AT WHEELING, WV

DEC 11 1996

NORTHERN DISTRICT OF WV
 OFFICE OF THE CLERK

U.S. DISTRICT COURT
 FILED AT WHEELING, WV

JAN 21 1997

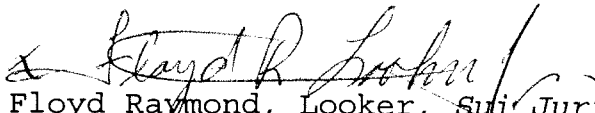
UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA, [sic]	)	Criminal No. <u>1:96-CR-43</u>
)	
Plaintiff, [sic]	)	MEMORANDUM OF POINTS AND
	)	AUTHORITIES IN SUPPORT OF
v.	)	DEFENDANT'S CHALLENGE TO
	)	JURISDICTION FOR VIOLATING
FLOYD RAYMOND LOOKER, a/k/a RAY,	)	THE FUNDAMENTAL GUARANTEE
JAMES R. ROGERS, a/k/a RICH, [sic]	)	OF EFFECTIVE ASSISTANCE OF
	)	COUNSEL: Sixth Amendment;
Defendants. [sic]	)	Rule 201(d), Federal Rules
	)	of Evidence


COMES NOW Floyd Raymond, Looker, *Sui Juris*, Citizen of West
 Virginia state and Defendant in the above entitled matter
 (hereinafter "Defendant"), to submit this MEMORANDUM OF POINTS
 AND AUTHORITIES by incorporating by reference an identical
 MEMORANDUM concurrently filed in related Criminal Case Number
 #5:96-CR-40, as if the latter were set forth fully herein, in
 order to conserve paper and other resources which might otherwise
 be wasted by unnecessary duplication of this detailed MEMORANDUM,
 and to provide formal Notice to all interested party(s) of same.

Defendant demands mandatory judicial notice of said
 MEMORANDUM herein by formally invoking Rule 201(d) of the Federal
 Rules of Evidence.

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2 Executed on X 12-9-96
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8 Floyd Raymond, Looker, Sui Juris
9 Citizen of West Virginia state
10 all rights reserved without prejudice
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12
13 Executed on December 4, 1996
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18 Paul Andrew, Mitchell, B.A., M.S.
19 Citizen of Arizona state, federal witness,
20 and Counselor at Law
21
22 all rights reserved without prejudice

1 PROOF OF SERVICE

2 I, Paul Andrew, Mitchell, *Sui Juris*, hereby certify, under
3 penalty of perjury, under the laws of the United States of
4 America, without the "United States," that I am at least 18 years
5 of age, a Citizen of one of the United States of America, and
6 that I personally served the following document(s):
7

8 MEMORANDUM OF POINTS AND AUTHORITIES
9 IN SUPPORT OF DEFENDANT'S CHALLENGE TO JURISDICTION
10 FOR VIOLATING THE FUNDAMENTAL GUARANTEE
11 TO EFFECTIVE ASSISTANCE OF COUNSEL: Sixth Amendment

12 by placing one true and correct copy of said document(s) in first
13 class United States Mail, with postage prepaid and properly
14 addressed to the following:
15

16 Office of the United States Attorney
17 Federal Building
18 P.O. Box 591
19 Wheeling
20 WEST VIRGINIA
21

22 Clerk of Court
23 United States District Court
24 P.O. Box 471
25 Wheeling
26 WEST VIRGINIA
27

28 Attorney General
29 Department of Justice
30 10th and Constitution, N.W.
31 Washington
32 DISTRICT OF COLUMBIA
33

34 Solicitor General
35 Department of Justice
36 10th and Constitution, N.W.
37 Washington
38 DISTRICT OF COLUMBIA

39 Executed on: December 4, 1996
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46 Paul Andrew Mitchell, *Sui Juris*
47 Citizen of Arizona state, federal witness,
48 Counselor at Law